

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 99-391

June 29, 1999

BANGOR HYDRO-ELECTRIC COMPANY  
Proposed Tariff to Establish  
Interruptible Rates

ORDER

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WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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In this Order, we approve a rate schedule to allow Bangor Hydro-Electric Company (BHE) to establish negotiated rates for payment to customers willing to reduce or eliminate demand at the request of the Company.

On June 14, 1999, Bangor Hydro-Electric Company (BHE) filed, pursuant to 35-A M.R.S.A. § 307, Rate Schedule IR (Interruptible Rate), Original. BHE states that, under NEPOOL's new markets, clearing prices during some hours may be sufficiently high to support payments to customers in lieu of paying market prices thereby reducing the Company's overall cost of service. The Company is proposing a negotiable rate, rather than a fixed rate, because it is not possible in advance to predict the levels of the clearing prices.

Because it is a generation-related rate schedule, BHE proposes that the service be terminated February 29, 2000. BHE requests that the rate schedule be permitted to go into effect immediately to allow the Company to begin reducing its cost. On June 17, 1999, BHE filed a replacement rate schedule which contains minor changes to the original filing.

Upon review, we conclude that, in light of the new NEPOOL markets, it is reasonable for BHE to have a negotiable interruptible rate schedule until retail access begins in March, 2000. For good cause, we allow the rate schedule to become effective on the date of this Order.

Accordingly, we

O R D E R

That Rate Schedule IR, filed on June 17, 1999, is hereby approved and shall be effective on the date of this Order.

Dated at Augusta, Maine, this 29th day of June, 1999.

BY ORDER OF THE COMMISSION

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Raymond J. Robichaud  
Assistant Administrative Director

COMMISSIONERS VOTING FOR:      Nugent  
   Diamond

COMMISSIONER ABSENT:            Welch

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.